

## **REMARKS**

Applicants respectfully request that claims 1-8 and 16-22 be canceled, and claims 9 and 11 be amended. Claim 9, as amended, includes the limitations of allowable claim 22. Claim 11 has been amended in order to satisfy antecedent basis requirements. No new matter has been added to the application by virtue of the present response. Applicants respectfully submit that the present response places the present application in condition for allowance or in better condition for purposes of appeal. Applicants believe that the present response does **not** raise new issues requiring further search by the Examiner. Thus, claims 9-15 are pending in the subject application.

### **Claim Rejections - 35 U.S.C. 112, first paragraph**

The Examiner has rejected claim 21 under 35 U.S.C. 112, first paragraph. Applicants respectfully request that claim 21 be canceled.

Therefore, Applicants respectfully submit that the rejection of claim 21 has been overcome.

### **Claim Rejections - 35 U.S.C. 102(e)**

The Examiner has rejected claims 1-5 and 8 under 35 U.S.C. 102(b) as being anticipated by Endo et al. (US Patent No. 5,177,583); and, claims 1-15 under 35 U.S.C. 102(e) as being anticipated by Toyoda et al. (US Patent No. 7,135,721).

In this Amendment, Applicant has amended claims 9 and 11, and cancelled claims 1-8 and 16-20 from further consideration in this application. Applicant is not conceding that the subject

matter encompassed by claims 1-22, prior to this Amendment is not patentable over the art cited by the Examiner. Claims 9 and 11 were amended and claims 1-8 and 16-22 were cancelled in this Amendment solely to facilitate expeditious prosecution of the allowable subject matter noted by the Examiner. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by claims 1-22, as presented prior to this Amendment and additional claims in one or more continuing applications.

The Examiner indicated that claim 22 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants respectfully request that claim 9 be amended to include the limitations of claim 22. Thus, Applicants respectfully submit that claim 9, as amended, and claims 10-15 dependent thereupon, are in condition for allowance.

Therefore, Applicants believe that the rejections of the claims under 35 U.S.C. 102(b) and (e) have been overcome and it is respectfully requested that the pending claims be passed to issuance in view of the amendments and remarks.

### **Allowable Subject Matter**

Applicants express appreciation for the Examiner's indication of allowable subject matter. The Examiner indicated that claim 22 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants respectfully request that claim 9 be amended to include the limitations of claim 22.

## CONCLUSION

In light of the foregoing remarks and amendments, all of the claims now presented are believed to be in condition for allowance, and Applicants respectfully request that the outstanding objections be withdrawn and this application be passed to issue at an early date.

The Examiner is urged to call the undersigned at the number listed below if, in the Examiner's opinion, such a phone conference would aid in furthering the prosecution of this application. No fee is due by virtue of the present response, however, please charge Applicants' deposit account, 09-0456, for any fees that the PTO determines is due.

Respectfully Submitted,

For: Geiss et al.

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